



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David M. DEBOER, et al.

Confirmation No.: 2483

Application No.: 10/034,926

Group Art Unit: 3763

Filing Date: October 29, 2001

Examiner: LoAn H. Thanh

For: INJECTION-ASSISTING PROBE FOR  
MEDICAL INJECTOR ASSEMBLY

Attorney Docket No.: 88066-5199

**TERMINAL DISCLAIMER FEE TRANSMITTAL**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

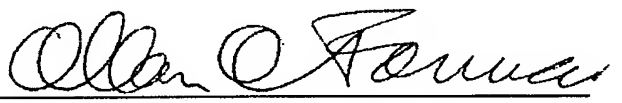
Sir:

The fee for processing the terminal disclaimer filed on even date herewith is estimated to be **\$130**. No other fees are believed to be due for this filing.

Please charge any and all required fees to Winston & Strawn LLP Deposit  
Account No. 50-1814.

Respectfully submitted,

Date: 2-27-06

  
Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN**  
Customer Number 28765

(212) 294-3311



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Sir:

Petitioner, Allan A. Fanucci, represents that he is an attorney of record for the present application.

Petitioner states that Antares Pharma, Inc. and Becton Dickinson and Company are the Assignees of the entire interest in and to the above-identified application by virtue of an assignment from the inventors to Medi-Ject Corporation and Becton Dickinson and Company that was recorded on July 26, 1999 at Reel/Frame 010139/0174, and a change of name from Medi-Ject Corporation to Antares Pharma, Inc. that was recorded on November 20, 2001 at Reel/Frame 012312/0249, and confirms that Antares Pharma, Inc. and Becton Dickinson and Company are the owners of the above-identified application and U.S. Patent No. 6,309,371. This petition is made on behalf of and for the benefit of the Assignees.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the term for U.S. Patent No. 6,309,371, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,309,371.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantees, their successors, and their assigns.

Petitioner does not disclaim any terminal part of any patent that issues on the above-identified application prior to the expiration date of U.S. Patent No. 6,309,371, in the event that any such patent is held unenforceable, is found invalid, is statutorily disclaimed in

02/28/2006 HALI11 00000140 501814 10034926

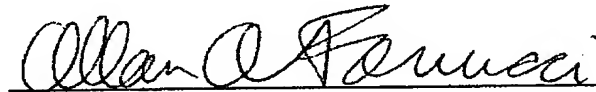
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DC:457326.1

whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby declares that all statements made herein of his own knowledge and belief are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Signed this 27th day of February, 2006.



Allan A. Fanucci (Reg. No. 30,256)

Position: Petitioner for Assignee

**WINSTON & STRAWN LLP**  
CUSTOMER NO. 28765

(212) 294-3311